

RESOLUTION R-11-076

A RESOLUTION OF MANATEE COUNTY, FLORIDA DELEGATING THE AUTHORITY TO MAKE PRE-SUIT OFFERS IN EMINENT DOMAIN CASES FOR THE RIGHT-OF-WAY REQUIRED FOR THE 15th STREET EAST (301 BOULEVARD) @ 51st AVENUE EAST ROAD RIGHT OF WAY IMPROVEMENT PROJECT, PARCELS ARE IDENTIFIED AS EXHIBIT "A", TO THE COUNTY ADMINISTRATOR OR HIS DESIGNEE, SUBJECT TO APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS, FOR THE AMOUNT UP TO THE APPROVED APPRAISED VALUE OF THE PROPERTIES SOUGHT TO BE ACQUIRED.

WHEREAS, the Board of County Commissioners, has heretofore approved the scope and construction of the project, parcels identified in Exhibit "A", and identified in the Capital Improvement Project; and

WHEREAS, under Florida Statute 73.015, effective July 1, 2000, before bringing an eminent domain proceeding, the condemning authority must attempt to negotiate in good faith with the fee owners of the parcels to be acquired, provide fee owners with a written offer, and, if requested, a copy of the appraisal report upon which the offer is based, and attempt to reach an agreement regarding the amount of compensation to be paid for the parcel; and

WHEREAS, from time to time it is in the County's best interest to conduct such negotiations and make such written offers prior to the time that the Board of County Commissioners is scheduled to meet; and

WHEREAS, the Board of County Commissioners finds that in such cases it is appropriate to delegate to the County Administrator, or his designee, within guidelines, the authority to conduct negotiations and make written offers to purchase such parcels, subject to the Board of County Commissioners approval; and

WHEREAS, the Board of County Commissioners finds that limiting such authority to make a written offer up to the amount specified in the appraisal, and requiring the concurrence of the County Attorney or his designee in the written offer, will provide adequate guidelines and safeguard Manatee County's interest.

NOW, THEREFORE, be it resolved as follows:

1. The Manatee County Board of County Commissioners hereby delegates its authority To make pre-suit offers pursuant to Florida Statue 73.015 to the County Administrator or his designee, subject to the approval of the Board of County Commissioners, for the parcels sought to be acquired in Exhibit "A". Said offers not to exceed the value determined for the respective parcels in the approved appraisal reports.

DULY ADOPTED with a quorum present and voting this 15th day of March, 2011.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

By: _____

Chairman

ATTEST: R.B. SHORE
Clerk of the Circuit Court

By: [Signature]
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**15TH STREET EAST (301 BOULEVARD) @ 51ST AVENUE EAST
ROAD IMPROVEMENT PROJECT
EXHIBIT "A"**

PARCEL #	CONVEYANCE TYPE	SQUARE FOOTAGE	OWNER NAME	ADDRESS	APPRAISED VALUE 2011
800	EASEMENT	571	GEORGE PERREAULT, Trustee of the George C. Perreault Living Trust dated November 9, 1994	1219 51 ST AVENUE EAST	\$1,500
804	EASEMENT	368	NEW SPECTRUM, INC.	1507 51 ST AVENUE EAST	\$1,050
805	EASEMENT	723	KENTUCKY COLONEL, INC.	1509 51 ST AVENUE EAST	\$5,665
806	EASEMENT	171	PIONEER PARK,	1615 51 ST AVENUE EAST	\$1,425
706	TCE	525	LLC.		\$ 640
TOTAL					\$10,280